

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

ELWOOD H. JONES, JR.,

Petitioner,

-vs-

MARGARET BAGLEY, Warden,

Respondent.

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Case No. 1:01-cv-564

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District Judge Thomas M. Rose  
Chief Magistrate Judge Michael R. Merz

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**ORDER TO CORRECT THE RECORD**

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This capital habeas corpus case is before the Court *sua sponte*.

On September 24, 2007, Joseph Solomkin, M.D., testified in this matter about facts and opinions based on his expertise as a board-certified surgeon with special expertise in the field of infectious diseases. Because of the importance of his testimony in this case, the Court asked Dr. Solomkin to review his testimony and offer any corrections he thought were necessary to make the transcript accurate.

The Court has received and reviewed Dr. Solomkin's proposed corrections. Based on those suggestions and pursuant to Fed. R. App. P. 10(e), it is hereby ordered that the court reporter correct the transcript as follows:

1. p. 6, l. 15: "Altmeier" is substituted for "Altmeyer."
2. p. 6, l. 15 - same spelling change
3. p. 6, l. 20 - Substitute the word "host" for "post."
4. p. 19, l. 2 - Change entire line to read "seem to be informed by the very abundant medical"

5. p. 22, l. 21 - Replace the word “serve” with the word “surface.”
6. p. 28, l. 22 - Replace the word “bones” with the word “burns.”
7. p. 33, l. 13 - Replace the word “post” with the word “host.”
8. p. 35, l. 17 - Replace “he got eradicated” with “he got eradicated it.”
9. p. 36, l. 9 - Replace “genesis” with “genus.”
10. p. 37, l. 13 - Strike the word “been.”
11. p. 39, l. 24 - Replace “dormant” with “virulent.”
12. p. 41, l. 11 - Replace the word “espouse” with the word “support.”
13. p. 42, l. 17 - Replace the word “prior” with the word “priority.”
14. p. 57, l. 5 - Insert “a lawyer” after the name “Piepmeier.”
15. p. 60, l. 1 - Replace “doctor” with “doctor’s.”

October 24, 2007.

s/ **Michael R. Merz**  
Chief United States Magistrate Judge